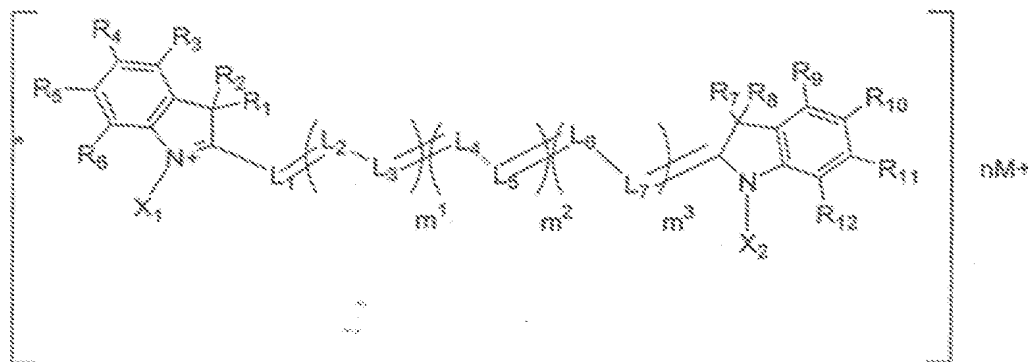


This listing of claims will replace all prior versions, and listings, of claims in the application:

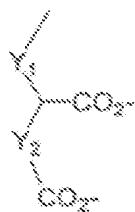
Listing of Claims:

1. (Currently Amended) A near infrared fluorescent contrast agent comprising a compound ~~represented by~~ of the following formula ~~II~~ or a pharmaceutically acceptable salt thereof:



wherein R^1 , R^2 , R^7 , and R^8 independently represent a substituted or unsubstituted C_1 - C_{10} alkyl group or a substituted or unsubstituted aryl group, ~~and~~ or R^1 and R^2 and/or R^7 and R^8 ~~may~~ bind to each other to form a ring; R^3 , R^4 , R^5 , R^6 , R^9 , R^{10} , R^{11} and R^{12} independently represent a hydrogen atom, a substituted or unsubstituted C_1 - C_6 alkyl group, a substituted or unsubstituted aryl group, a substituted or unsubstituted heteroaryl group, a halogen atom, cyano group, carboxyl group, or sulfo group, ~~and~~ or R^3 , R^4 , R^5 , R^6 , R^9 , R^{10} , R^{11} , and R^{12} ~~may~~ bind to each other to form a ring; ~~X^1 and X^2~~

~~independently~~ represents a substituted or unsubstituted C_1 - C_{15} alkyl group or a substituted or unsubstituted aryl group and X^1 and X^2 ~~in total have 0 to 4 carboxyl groups, provided that when the number of the carboxyl group is 0 or 1, each of X^1 and X^2 is a C_4 - C_5 carboxyalkyl group or a sulfoalkyl group and at least one of R^3 , R^4 , R^5 , R^6 , R^9 , R^{10} , R^{11} , and R^{12} represents a substituted or unsubstituted aryl group or a substituted or unsubstituted heteroaryl group;~~ is a group represented by the following formula



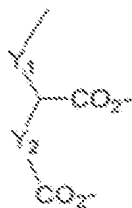
wherein Y^1 and Y^2 independently represent a substituted or unsubstituted divalent linking group and X^1 and X^2 in total have 2 or 4 carboxyl groups; m^1 represents 0 or 1; m^2 represents 0 or 1; m^3 represents 0 or 1; $L^1, L^2, L^3, L^4, L^5, L^6$, and L^7 independently represent a substituted or unsubstituted methine group, provided that when two or more of the methine groups have substituents, the substituents may bind to each other to form a ring, ~~provided that when each of X^1 and X^2 has one carboxyl group, each of X^1 and X^2 is carboxyl group substituted hydrocarbon group and at least one of the methine groups represented by $L^1, L^2, L^3, L^4, L^5, L^6$, and L^7 is a substituted methine group and R^4 and R^{10} represent a sulfo group~~; M represents a hydrogen atom, a metal, or a quaternary ammonium salt; and n represents an integer of 1 to 7 necessary for neutralizing charge

and a pharmaceutically acceptable carrier for diagnostic imaging.

2. (Original) The near infrared fluorescent contrast agent according to claim 1, wherein each of m^1, m^2 , and m^3 is 1.

3. (Canceled)

4. (Currently Amended) The near infrared fluorescent contrast agent according to claim 1, wherein X^1 and X^2 independently represent a group represented by the following formula (⊕):



wherein Y^1 and Y^2 independently represent a substituted or unsubstituted a divalent bond.

5. (Original) The near infrared fluorescent contrast agent according to Claim 1, wherein at least one of R^3 , R^4 , R^5 , R^6 , R^9 , R^{10} , R^{11} , and R^{12} is a substituted or unsubstituted aryl group or a substituted or unsubstituted heteroaryl group.

6. (Canceled)

7. (Canceled)

8. (Original) The near infrared fluorescent contrast agent according to Claim 3 wherein Y_1 represents $-(CH_2)_pCONH-$ wherein p represents an integer of 1 to 4 and Y_2 represents $-(CH_2)-$ or $(CH_2)_2-$.

9. (Currently Amended) The near infrared fluorescent contrast agent according to Claim 1, ~~which is used~~ adapted for tumor imaging.

10. (Currently Amended) The near infrared fluorescent contrast agent according to Claim 1, ~~which is used~~ adapted for angiography.

11. (Currently Amended) A method of fluorescence imaging which comprises the steps of introducing the near infrared fluorescent contrast agent according to Claim 1 into a living body, exposing said body to an excitation light, and detecting near infrared fluorescence from the contrast agent.

12. (New) A method of claim 11 for tumor imaging.

13. (New) A method of claim 11 for angiography.